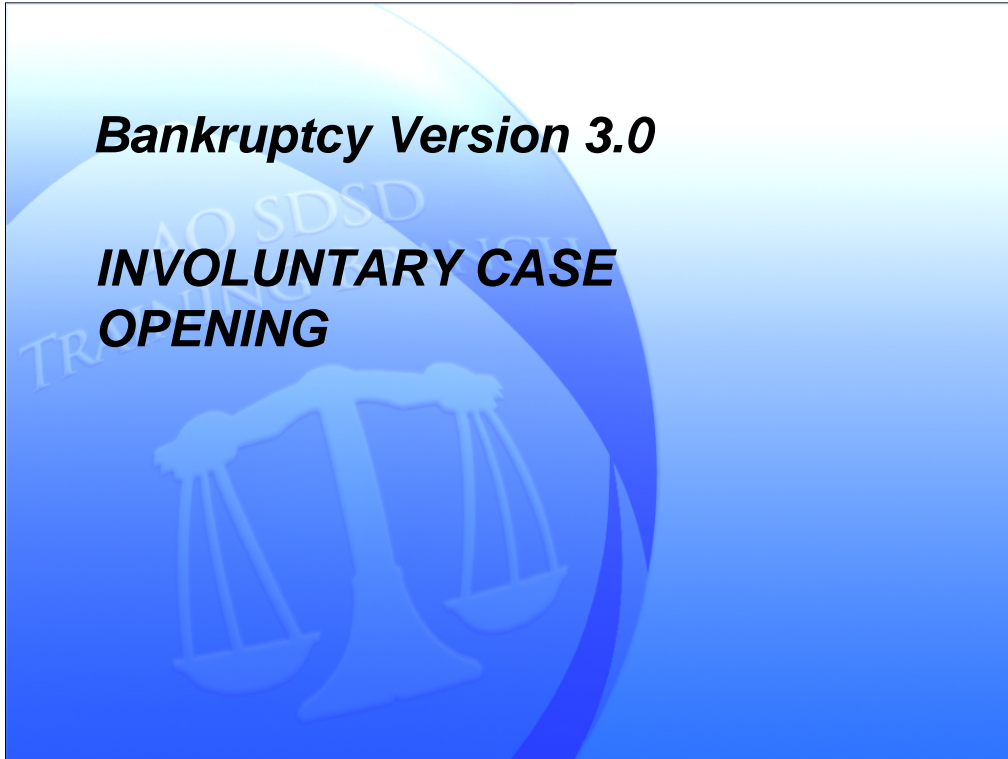


Bankruptcy Version 3.0

**INVOLUNTARY CASE
OPENING**



Involuntary Case Opening OBJECTIVES

By the end of this module you will be able to:

- explain the new Involuntary Case Opening process.
- discuss attorney relationships with debtors and petitioning creditors.
- describe changes to the docket text of the involuntary petition.

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Involuntary Case Opening

ECF Bankruptcy • Adversary • Query

Open New Involuntary Case

Case type **bk** Case number

Date filed ☒ AM ☐ PM

Chapter

Joint Petition **n**

Origin

Updated Involuntary screen for court users

BK v3.0 3

The involuntary case process has been separated from voluntary case opening. It is a separate menu selection under the Bankruptcy Main Menu. And the involuntary field designation has been removed from the statistical screen in the voluntary case opening process. Some of the fields are now restricted to facilitate the process and to help prevent errors. The Case Type is set to **bk**, Chapter selections have been limited to chapter **7** or **11** and Joint Petition is automatically set to **n**. The Origin field has also been moved from the statistical screen to the first screen. It will only be displayed to court users and no longer includes the reopen option.

Involuntary Case Opening

The screenshot shows a web form titled "Open Involuntary Case" within the ECF (Electronic Case Filing) system. The form is set against a blue background with a faint "AO TRAINING" watermark. The form fields are as follows:

- Case type:** bk
- Date filed:** 1/4/2006
- Chapter:** 7 (selected from a dropdown menu)
- Joint Petition:** n

At the bottom of the form are two buttons: "Next" and "Clear".

Updated Involuntary screen for attorneys

BK v3.0 4

This screen shows that an attorney only has to provide the chapter for the first case opening screen for an involuntary petition.

Involuntary Case Opening

ECF Bankruptcy • Adversary •

Open New Involuntary Case

Search for a petitioning creditor

SSN Tax Id

Last/Business name

First Name

Middle Name

Role types are limited to one debtor and multiple petitioning creditors.

BK v3.0 5

Only petitioning creditors and debtors are added at case opening and the user will not have to designate the party role.

Involuntary Case Opening

New feature for attorneys adding Petitioning Creditors

Attorneys must still add their own attorney record when opening an adversary proceeding. When a petitioning creditor is added to the case, the correct association with the filing attorney is ensured by a new feature. They must check the box at the bottom of the party screen , **“The user opening this case is the filing attorney for this party.”** Notice that the *pro se* field has also been **removed**, the *pro se* flag will now be automatically set for the debtor, defendant or plaintiff during case opening based on the presence or absence of an attorney. The *pro se* field will behave in the manner throughout the case so modification of the *pro se* field should not be necessary in any case.

Involuntary Case Opening

The screenshot shows the ECF (Electronic Case Filing) interface for opening an involuntary case. The header includes the ECF logo and navigation links: Bankruptcy, Adversary, Query, and Reports. The title is 'Open Involuntary Case'. Below the title is a text entry field containing the following text: 'Chapter 11 Involuntary Petition. Receipt Number 35462, Fee Amount \$1039 Re: Texas Wholesale Foods Filed by Petitioning Creditor(s): Mike Sooner (attorney Cornelius Applebee) (Stevens, Kate)'. The text is highlighted with a red box. Below the text field are two buttons: 'Next' and 'Clear'.

New docket text functionality for Involuntary Petition

AO-SDSD Training Branch

BK v3.0 7

A new docket text function enables the addition of names and role types of case participants and their attorneys to the docket text in case opening screens. Previously we were unable to add role types to case opening entries. The new Docket Text Function (DTF) is GetPeopleWithRoles. The text generated by this new DTF is noted above.